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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**
19

20 IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
21 LITIGATION

22 This Document Relates to:

23 ALL ACTIONS
24

Case No. 3:23-md-03084-CRB

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING EXTENDED BRIEFING
SCHEDULE FOR TERMS OF USE MOTION**

Judge: Hon. Charles R. Breyer

Courtroom: 6 – 17th Floor

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STIPULATION

WHEREAS, on December 28, 2023, the Court issued an order regarding discovery and initial motions. Pretrial Order No. 5, ECF 175;

WHEREAS, the Court ordered Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively “Uber”) to “file any pretrial motion raising arguments about its Terms of Use Agreement(s) and their effect on Plaintiffs’ ability to bring their claims in a coordinated or consolidated proceeding (the ‘Terms of Use Motion’)” by February 9, 2024. Id. at 5. The Court further ordered Plaintiffs to file their oppositions to any such motion by February 23, 2024, and Uber to file any replies in support of such motion by March 1, 2024. Id.;

WHEREAS, on February 6, 2024, the parties filed a joint stipulation for an extended briefing schedule and an additional 15 pages for Uber’s Terms of Use Motion, with an opening brief (not to exceed 30 pages) due on February 9, 2024, an opposition brief (not to exceed 30 pages) due on March 8, 2024, and a reply brief due on March 22, 2024. ECF 250 at 3–4;

WHEREAS, on February 7, 2024, the Court ordered that Uber shall be granted an additional 15 pages for its Terms of Use Motion (for a total of 30 pages), due February 9, 2024; Plaintiffs shall be granted an additional 15 pages for their Opposition brief (for a total of 30 pages), due March 8, 2024; and Uber’s Reply shall be due March 22, 2024. ECF 252 at 7. The Court further ordered that a “hearing on the Motion shall be set for a date and time deemed suitable by the Court.” Id.;

WHEREAS, Uber filed its Terms of Use Motion on February 9, 2024. ECF 257;

WHEREAS, the parties agree that a further extended briefing schedule will facilitate the efficient resolution of the issues raised in Uber’s Terms of Use Motion and thereby conserve judicial resources;

WHEREAS, in view of the above, the parties agree to extend the deadline for Plaintiffs’ Opposition brief to March 12, 2024, and to extend the deadline for Uber’s Reply to April 2, 2024; and

WHEREAS, this change will not alter the date of any other event or deadline already fixed by Court order.

1 **THEREFORE**, the parties respectfully request the Court enter the parties' stipulation that:

2 1. Plaintiffs' Opposition to the Terms of Use Motion shall be due March 12, 2024; and

3 2. Uber's Reply in support of the Terms of Use Motion shall be due April 2, 2024.

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5 **IT IS SO STIPULATED.**

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7 Dated: March 7, 2024

**PAUL, WEISS, RIFKIND, WHARTON &
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9 By: /s/ Randall S. Luskey

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12 *Attorneys for Defendants*
UBER TECHNOLOGIES, INC.,
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15 Dated: March 7, 2024

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FILER'S ATTESTATION

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: March 7, 2024

By: /s/ Randall S. Luskey
Randall S. Luskey

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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION
10

11 IN RE: UBER TECHNOLOGIES, INC.,
12 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

~~PROPOSED~~ ORDER GRANTING
STIPULATION REGARDING EXTENDED
BRIEFING SCHEDULE FOR TERMS OF USE
MOTION

13 This Document Relates to:


14 ALL ACTIONS
15
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17 The Court hereby GRANTS the parties' stipulation as follows:

- 18 1. Plaintiffs' Opposition to the Terms of Use Motion shall be due March 12, 2024; and
19 2. Defendants' Reply in support of the Terms of Use Motion shall be due April 2, 2024.
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21 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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23 Date: March 7, 2024


24 HON. CHARLES R. BREYER
25 UNITED STATES DISTRICT JUDGE
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